

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/21/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 MARY HEINRICH, AS EXECUTOR OF THE :
 ESTATE OF CATHERINE BUTLER A/K/A :
 CATHERINE BUTLER MUZIO A/K/A :
 CATHERINE T. BUTLER MUZIO; MARY :
 HEINRICH, AS TRUSTEE FOR THE :
 CATHERINE BUTLER MUZIO LIVING :
 TRUST; MARY HEINRICH, AS TRUSTEE :
 FOR THE LEONARD MUZIO LIVING :
 TRUST; and MARY HEINRICH, IN HER :
 INDIVIDUAL CAPACITY, :

Plaintiffs, :

-against- :

MALAYENE DEAN, CHARLES YASSIM :
 A/K/A CHARLES YASSIN, MORGAN :
 STANLEY BARNEY, LLC, HORACE M. :
 BARKER, CITIBANK N.A. and JOHN DOES :
 1-10, :

Defendants. :
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21-CV-10657 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS an initial pretrial conference was held on February 18, 2022, *see* Dkts. 5, 53;

IT IS HEREBY ORDERED that Defendants Morgan Stanley Barney, LLC and Horace Barker must file their motion to stay the case and compel arbitration by **March 4, 2022**. Plaintiffs' response is due by **March 18, 2022**. Defendants' reply is due by **March 25, 2022**. These Defendants' time to answer or otherwise respond to Plaintiffs' complaint is adjourned *sine die* pending their motion to compel arbitration. Further, discovery is stayed as to these Defendants pending their motion to compel arbitration.


IT IS FURTHER ORDERED that Defendants Dean and Yassim must answer or otherwise respond to Plaintiffs' complaint by **March 21, 2022**. If Dean and Yassim move

to dismiss the Complaint, Plaintiffs must either amend their complaint or oppose Defendants' motion by **May 4, 2022**. If Plaintiffs oppose the motion, Defendants' reply is due **May 19, 2022**. The Court will, by separate order, enter a Case Management Plan governing discovery between Plaintiffs and Defendants Dean and Yassim.

IT IS FURTHER ORDERED that a status conference is scheduled for **June 24, 2022 at 10:00 a.m.** The conference will be held in person in Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007.

SO ORDERED.

Date: February 21, 2022
New York, New York



VALERIE CAPRONI
United States District Judge